

AMENDMENTS TO THE CLAIMS:

Please cancel Claims 3 and 5 without prejudice to or disclaimer of the subject matter recited therein.

Please amend Claims 1, 4, 11, and 12 as follows:

1. (Currently Amended) A receiving apparatus comprising:
  - reception means for receiving data on a stream broadcast via a network;
  - a memory which is capable of storing a predetermined amount of the received data on a stream broadcast;
  - control means for controlling the memory to perform outputting from the memory and storing into the memory the data on a stream broadcast simultaneously so as to conserve a predetermined amount of buffering of the data;
  - data processing means for processing the data on a stream broadcast stored in the memory to generate video data;
  - video output means for outputting the video data processed by the data processing means to a display apparatus; and
  - detection means for detecting interruption point data indicating [[a]] an interruption position where reproduction of the stream broadcast should be interrupted out of the received data on a stream broadcast, wherein the interruption point data is incorporated in the data on a stream broadcast relating to scene partitions of a program on the stream broadcast,

wherein the control means (a) monitors abnormality of communication by detecting whether the amount of buffering of the data in the memory gets under a predetermined level, (b) gets from the detection means detected interruption point data when the abnormality of the communication is detected, and (c) controls the data processing means and the video output means to (i) continue the output of the video data from a position at which the abnormality is detected to ~~a position instructed in the detected interruption point data~~ the interruption position, so as to display on the display apparatus a video image based on the video data, ~~and~~ (ii) stop the output of the video data at the interruption position, ~~instructed in the detected interruption point data~~ and (iii) restart the output of the video data from a start position placed preceding the interruption position on the stream broadcast, in response to an amount of buffering of the data in the memory having reached a predetermined amount after stopping the output of the video data.

2 - 3. (Cancelled)

4. (Currently Amended) A receiving apparatus according to claim 3 1, wherein the control means further detects an estimated time when the output of the video data can be restarted based upon the amount of data, which is stored in the memory while the output of the video data is stopped, and the communication rate, and then controls the video output means to display information of the estimated time.

5. (Cancelled)

6. (Original) A receiving apparatus according to claim 1, wherein the control means further controls the video output means to output predetermined video data instead of video data according to the data on a stream broadcast after stopping the output of the video data.

7. (Previously Presented) A receiving apparatus according to claim 6, wherein, in the case in which an amount of buffering of the data on a stream broadcast stored in the memory has reached a predetermined amount after stopping the output of the video data, the control means further controls the data processing means and the video output means to restart the output of the video data from a position instructed in the interruption point data after the predetermined video data ends.

8. (Original) A receiving apparatus according to claim 1, wherein the detection means further detects location information of a second distribution server, which is capable of distributing data on a stream broadcast at or after the interruption point, out of the data on a stream broadcast, and the control means controls the reception means to make connection to the second distribution server when abnormality of communication is detected.

9. (Original) A receiving apparatus according to claim 1, wherein the detection means further detects two kinds of levels of the interruption point data out of the data on a stream broadcast, and the control means selects the two kinds of levels of the interruption point data according to a type of a communication rate of the connected network.

10. (Original) A receiving apparatus according to claim 1, wherein the interruption point data is data which designates a position where the stream broadcast should be interrupted after a CM ends and before a program following the CM starts, which are included in the data on a stream broadcast.

11. (Currently Amended) A receiving method, comprising the steps of:  
receiving data on a stream broadcast via a network;  
storing the received data on a stream broadcast on a memory;  
controlling the memory to perform outputting from the memory and storing into the memory the data on a stream broadcast simultaneously so as to conserve a predetermined amount of buffering of the data;  
processing the data on a stream broadcast stored in the memory to generate video data;  
outputting the video data processed by the processing step for display; and  
detecting interruption point data indicating [[a]] an interruption position where reproduction of the stream broadcast should be interrupted from the received data on a stream broadcast, wherein the interruption point data is incorporated in the data on a stream broadcast relating to scene partitions of a program on the stream broadcast,  
wherein the controlling step (a) monitors abnormality of communication by detecting whether the amount of buffering of the data in the memory gets under a predetermined level, (b) gets from the detecting step detected interruption point data when the abnormality of the communication is detected, and (c) controls the processing and outputting steps to (i) continue output of the video data from a position at which the abnormality is detected to ~~a position~~

~~instructed in the detected interruption point data the interruption position, so as to display a video image based on the video data, and (ii) stop the output of the video data at the interruption position, instructed in the detected interruption point data and (iii) restart the output of the video data from a start position placed preceding the interruption position on the stream broadcast, in response to an amount of buffering of the data in the memory having reached a predetermined amount after stopping the output of the video data.~~

12. (Currently Amended) A receiving apparatus comprising:

    a receiver for receiving data on a stream broadcast via a network;

    a memory which is capable of storing a predetermined amount of the received data on a stream broadcast;

    a controller for controlling the memory to perform outputting from the memory and storing into the memory the data on a stream broadcast simultaneously so as to conserve a predetermined amount of buffering of the data;

    a data processor for processing the data on a stream broadcast stored in the memory to generate video data;

    a video output for outputting the video data processed by the data processor to a display apparatus; and

    a detector for detecting interruption point data indicating [[a]] an interruption position where reproduction of the stream broadcast should be interrupted from the received data on a stream broadcast, wherein the interruption point data is incorporated in the data on a stream broadcast relating to scene partitions of a program on the stream broadcast,

wherein the controller (a) monitors abnormality of communication by detecting whether the amount of buffering of the data in the memory gets under a predetermined level, (b) gets from the detector detected interruption point data when the abnormality of the communication is detected, and (c) controls the data processor and the video output to (i) continue the output of the video data from a position at which the abnormality is detected to a ~~position instructed in the detected interruption point data~~ the interruption position, so as to display on the display apparatus a video image based on the video data, ~~and~~ (ii) stop the output of the video data at the interruption position, ~~instructed in the detected interruption point data~~ and (iii) restart the output of the video data from a start position placed preceding the interruption position on the stream broadcast, in response to an amount of buffering of the data in the memory having reached a predetermined amount after stopping the output of the video data.